

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

Chapter 7

STEPHEN JEMAL a/k/a STEPHEN S. JEMAL
And
SHARON JEMAL A/K/A SHARON E. JEMAL,

Case No. 12-43825 (CEC)

Debtors.

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REPUBLIC FIRST BANK d/b/a REPUBLIC
BANK,

Plaintiff,

AdvProNo. 12-01261 (CEC)

- against -

STEPHEN S. JEMAL and SHARON JEMAL

Defendants.

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STIPULATION OF SETTLEMENT

WHEREAS, on March 8, 2010, Republic First Bank d/b/a Republic Bank obtained a Judgment by Confession in the United States District Court for the Eastern District of Pennsylvania, Case No. 2:10-CV-01009-CDJ (the "Judgment") against Stephen S. Jemal a/k/a Stephen Jemal and Sharon Jemal for \$11,156,722.41;

WHEREAS, on January 12, 2012 the Judgment was amended to adjust the amount due on the Judgment to \$10,537,715.09 (the "Amended Judgment");

WHEREAS, on May 25, 2012, Stephen Jemal and Sharon Jemal filed a voluntary petition for relief under chapter 7 of Title 11 of the United States Code in the United States Bankruptcy Court for the Eastern District of New York under Case No. 12-43825;

WHEREAS, on August 31, 2012, Plaintiff Republic First Bank d/b/a Republic Bank filed this adversary proceeding against Defendants Stephen Jemal and Sharon Jemal, seeking a

determination that the Amended Judgment against Stephen Jemal and Sharon Jemal is non-dischargeable under 11 U.S.C. § 523(a);

WHEREAS, on December 18, 2014, Plaintiff filed a motion for summary judgment;

WHEREAS, the Hearing on Plaintiff's motion for summary judgment has been scheduled for April 23, 2015;

WHEREAS, the parties, in the spirit of compromise and seeking to avoid the further time, expense and uncertainty of litigation, have agreed to resolve and settle all the issues of this adversary proceeding as set forth below;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned as follows:

1. The debt and Amended Judgment held by Plaintiff Republic First Bank d/b/a Republic Bank against Defendant Stephen S. Jemal is hereby deemed non-dischargeable under 11 U.S.C. § 523 in the reduced principal amount of \$6,990,955;

2. The debt and Amended Judgment held by Republic First Bank d/b/a Republic Bank against Defendant Sharon Jemal is hereby deemed non-dischargeable under 11 U.S.C. § 523 in the reduced principal amount of \$3,495,477;

3. Defendant Stephen Jemal shall have the right to reduce the principal amount of the Amended Judgment to \$6,990,955 in all Courts in which the Amended Judgment has been entered, docketed and/or transcribed and in any other court to which Republic First Bank d/b/a Republic Bank shall transfer the Amended Judgment, which right shall not be abrogated by this Stipulation

of Settlement but shall remain in full force and effect.

Plaintiff will execute such documents as provided by Defendant Stephen S. Jemal as are necessary to effectuate this provision.

4. Defendant Sharon Jemal shall have the right to reduce the principal amount of the Amended Judgment to \$3,495,477 in all Courts in which the Amended Judgment has been entered, docketed and/or transcribed and in any other court to which Republic First Bank d/b/a Republic Bank shall transfer the Amended Judgment, which right shall not be abrogated by this Stipulation of Settlement but shall remain in full force and effect.

Plaintiff will execute such documents as provided by Defendant Sharon Jemal as are necessary to effectuate this provision.

5. Nothing in this Stipulation of Settlement shall be construed to limit, reduce or otherwise affect any lien held by Republic First Bank d/b/a Republic Bank on any of the Debtors' property, to the extent that the Debtors' have equity in the property and after all applicable exemptions.

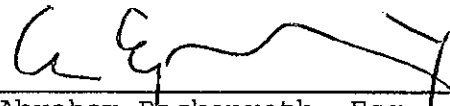
6. This Stipulation of Settlement is subject to, and shall take effect upon, approval by the Court; and this Court shall retain jurisdiction in this matter for purposes of enforcing this Stipulation of Settlement.

Dated: New York, New York
April 22, 2015

ANDERSON KILL, P.C.

By: /s/ Inez M. Markovich
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Carla E. Craig
United States Bankruptcy Judge